



House of Representatives

General Assembly

File No. 559

January Session, 2009

House Bill No. 5138

House of Representatives, April 8, 2009

The Committee on Public Health reported through REP. RITTER of the 38th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE PLACEMENT OF UNITED STATES FLAGS ON THE GRAVES OF VETERANS.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 19a-297 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 The selectmen of towns, cemetery associations or ecclesiastical
4 societies, having the care of cemeteries, may (1) enact bylaws
5 providing for the care and management of all burial lots, and the
6 protection of all shrubs, trees, fences and monuments thereon,
7 provided no such bylaws shall (A) require or result in the removal or
8 banishing of any undamaged United States flag or armed forces
9 service marker, including flagholders provided by veterans
10 organizations, from any grave site, or (B) restrict the placement of flags
11 on the graves of veterans from the Saturday before Memorial Day in
12 each year until the Monday after the fourth of July, and [may] (2)
13 appoint superintendents and sextons for such cemeteries. [, who] Such
14 superintendents and sextons shall have the exclusive right to direct the

15 opening of graves, and no grave shall be opened in any cemetery
16 except with the consent of the superintendent or sexton. Any person to
17 whom such bylaws have been made known who violates the same
18 shall be fined not more than ten dollars. The incorporators, organizers
19 or members of any cemetery association or, if no incorporators,
20 organizers or members are living, the owners of burial lots therein, by
21 a majority vote, may, at any meeting called for that purpose, amend its
22 articles of association or its bylaws.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>from passage</i>	19a-297
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VA *Joint Favorable C/R*

PH

PH *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The bill prohibits selectmen of towns, cemetery associations or ecclesiastical societies from enacting bylaws restricting the placement of flags on veterans' graves from the Saturday before Memorial Day through the Monday after July 4 each year. This does not result in any fiscal impact to the state or municipalities.

The Out Years

None

Source(s): Select Committee on Veterans' Affairs Public Hearing Testimony 2/3/09

OLR Bill Analysis**HB 5138*****AN ACT CONCERNING THE PLACEMENT OF UNITED STATES
FLAGS ON THE GRAVES OF VETERANS.*****SUMMARY:**

This bill prohibits towns, cemetery associations, or ecclesiastical societies that care for cemeteries from restricting the placement of flags on veterans' graves from the Saturday before Memorial Day until the Monday after July 4 in each year.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Select Committee on Veterans' Affairs

Joint Favorable Change of Reference

Yea 10 Nay 0 (03/05/2009)

Public Health Committee

Joint Favorable

Yea 30 Nay 0 (03/20/2009)